



City of Clayton
10 North Bemiston Avenue
Clayton, Missouri 63105
(314) 290-8450 FAX: (314) 863-0296

APPLICATION FOR REZONING TO A PLANNED UNIT DEVELOPMENT DISTRICT

\$500.00 fee must accompany this application. Applicant will be responsible for advertising costs.

(Plans must be folded, print side out, if possible)

Residential Planned Unit Development District is appropriate where a residential development project is proposed on a lot at least 30,000 square feet in size and is unable to meet the established zoning criteria due to unusual circumstances in size, configuration or particular design features. The planned unit development process provides the flexibility needed to encourage innovative medium and large-scale residential development that is consistent to neighborhood character.

Commercial/Mixed-Use Planned Unit Development District is appropriate where a proposed commercial development project exceeds 50,000 square feet in size and is unable to meet the established zoning criteria due to unusual circumstances in size, configuration or particular design features. Commercial Planned Unit Developments are intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services encouraging innovation in the planning and building of all types of development.

THE APPLICATION PROCESS FOR A DESIGNATED PLANNED UNIT DEVELOPMENT INCLUDES A REQUEST FOR REZONING PURSUANT TO THE PROVISIONS OF ARTICLE 13 OF THE ZONING ORDINANCE. REZONING MUST BE COMPLETED CONCURRENTLY WITH THE APPROVAL PROCESS FOR THE PLANNED UNIT DEVELOPMENT.

The purpose of the planned unit development process, is to foster appropriate use of existing buildings and enable compatible redevelopment which provide public benefit as itemized below and achieve the following objectives:

1. Creation of a more desirable environment than would be possible through strict application of other City land use regulations;
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;

3. Combination and coordination of architectural styles, building forms and building relationships;
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features and the prevention of soil erosion;
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City;
6. Use of design, landscape or architectural features to create a pleasing environment;
7. Inclusion of special features;
8. Elimination of deteriorated structures or incompatible uses through redevelopment or rehabilitation; and
9. Facilitate implementation of the recommendations of the Business Districts Master Plan.

ZONING AMENDMENT

The planned unit development district is intended to provide a means for the redevelopment of an area in a unified land development that will improve the quality of the subject properties and have a beneficial effect on adjacent residential areas.

Rezoning to a Residential Planned Unit Development District is allowed only in areas where the existing zoning designation is R-4 through R-7 inclusive.

Rezoning to a Commercial/Mixed-use Planned Unit Development District is allowed only in areas where the existing zoning designation is C-1, C-2, High Density Commercial (HDC), and S-1, inclusive. Also included are all overlay districts requiring Planned Unit Development designation.

PUBLIC BENEFIT

The public benefits to the City that are intended to be derived from the approval of planned unit developments, include, but are not limited to:

1. Extraordinary landscaping and greenspace provisions;
2. Garage entryways by virtue of their location, materials and design blend with the architecture of the surrounding neighborhood;
3. Architectural distinction and significance that would make the development noteworthy;

4. Extensive use of high quality building materials that would add significant value to the property and benefit the adjacent properties;
5. Provision of new public infrastructure including, but not limited to streets, curbs, sidewalks, sanitary sewers, stormwater sewers, lighting and public parking;
6. Provisions for reduced sale or rental for a percentage of the units to encourage the goal of affordable housing.

For projects proposed within the Central Business District, the public benefits specific to the Central Business District that are intended to be derived from the approval of planned unit developments, include, but are not limited to the following accessory complimentary features:

1. Inclusion of below grade public parking facility located underneath the proposed development;
2. Inclusion of public parking spaces in excess of what is required by Chapter 22, Article 31 of the Municipal Code;
3. Inclusion of street level landscape garden, plaza or park available for public use;
4. Inclusion of special access features or provisions to existing or planned public transit facilities;
5. Inclusion of a mixed use development plan where no single use exceeds 80% of the total floor area;
6. Public art;
7. Architectural distinction and significance that would make the building(s) noteworthy; and
8. Extensive use of high quality building materials that would add to the assessed valuation of the structure.

APPLICATION AND PLAN REQUIREMENTS

An applicant shall file an application on a form provided by the Department of Planning and Development Services for Planned Unit Development plan approval with the Director of Planning and Development Services, or his/her designee. When a project requires multiple approvals and plan sets, the applicant may submit the same plans (combined plan sets) for all applicable approvals provided the combined sets include all of the information required for each applicable project review. At the time that an application is filed, the applicant shall pay a fee as required by the fee schedule approved

by the Board of Aldermen. The fee shall be paid to the City of Clayton to the credit of the general revenue fund of the City.

The application process for a designated planned unit development includes a request for rezoning pursuant to the provisions of Article 13 of the Zoning Ordinance. Rezoning must be completed concurrently with the approval process for the planned unit development.

APPLICATION REQUIREMENTS FOR A PLANNED UNIT DEVELOPMENT PROJECT

The Planned Unit Development Plan application shall be submitted on a form provided by the Director of Planning and Development Services, or his/her designee, accompanied by such number of copies of documents as the Director of Planning and Development Services, or his/her designee, may require for processing of the application and shall include at a minimum the following general information:

1. The applicant's name, address, telephone number and interest in the property;
2. Certification that the applicant is registered to do business in the State of Missouri, and is in good standing to develop the site;
3. The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
4. A certificate of disclosure of ownership interest;
5. The street address and legal description of the subject property;
6. The zoning classification, zoning district boundaries and present use of the subject property;
7. A vicinity map with north arrow, scale and date, indicating the zoning classifications and current uses of properties within two hundred fifty feet (250') of the subject property;
8. The proposed title of the project and the name, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project.

PLANNED UNIT DEVELOPMENT PLAN REQUIREMENTS

A Development Plan shall be drawn at a scale of one inch equals twenty feet (1 inch = 20 feet) or larger, unless otherwise approved by the Director of Planning and Development Services, setting forth at least the following:

1. The location, dimensions, and total area of the site;

2. The location, dimensions, floor area, type of construction and use of each proposed building or structure;
3. The number, the size and type of dwelling units in each building, and the overall dwelling unit density (if residential uses are proposed);
4. The proposed treatment of open spaces and the exterior surfaces of all structures, with sketches of proposed landscaping and structures, including typical elevations;
5. Architectural graphics, if requested by the Director of Planning and Development Services, including typical floor plans and elevations, profiles and cross-sections;
6. The number, location and dimensions of parking spaces and loading docks, with means of ingress and egress;
7. The proposed traffic circulation pattern within the area of the development, including the location and description of public improvements to be installed, including any streets and access easements;
8. A traffic impact analysis prepared by a registered traffic engineer depicting the project's impact on vehicular and pedestrian traffic;
9. The location and purpose of any existing or proposed dedication, easement, or right-of-way (public or private) within the boundaries of the site;
10. The general drainage plan for the development;
11. The location and dimensions of adjacent properties, abutting public rights of way and easements, and utilities serving the site;
12. Significant topographical or physical features of the site, including existing trees;
13. Soils and subsurface conditions, if requested;
14. The location and proposed treatment of any historical structure or other historical design element or feature;
15. One (1) copy of the Preliminary Development Plan colored or shaded (unmounted) for legibility and presentation at public meetings; and
16. A reduction of the Preliminary Development Plan to 8½ x 11 inches. The reduction need not include any area outside the property lines of the subject site;
17. Each drawing shall be the sealed, signed and dated, by the licensed entity who

- prepared the drawing or under whose immediate personal supervision the plan has been prepared. Revised plans and amended or modified approved plans shall also be so authenticated by the licensed entity who prepared the revision, amendment or modification to the drawing or under whose immediate personal supervision the plan has been revised, amended or modified;
18. When the planned unit development is to be constructed in stages or units, a schedule for the development of such stages or units stating the approximate beginning and completion time for each stage or unit.
 19. When a development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire development as the stages or units completed or under development bear to the entire development.
 20. When the proposed planned unit development includes provisions for common open space or recreational facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a government authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted;
 21. Copies of any restrictive covenants that are to be recorded with respect to property in the proposed planned unit development;
 22. A statement showing the relationship of the proposed planned development to the Master Plan; or justification for variations;
 23. A written statement addressing each of the standards set forth in Section 12.5 below, and such additional standards, if any, as may be applicable under the specific provisions of these Regulations. The statement shall explain specifically how the proposed planned unit development relates to and meets each such standard.
 24. A statement showing why the proposed planned unit development is compatible with other property in the neighborhood.
 25. A plat of survey of the parcel of land, lot(s), block(s), or parts or portions thereof, drawn to scale, showing the actual dimensions of the parcel, lot(s), block(s), or parts or portions thereof, according to the registered or recorded plat of such land.
 26. A plat of subdivision, if applicable, showing that the planned unit development

consists of and is conterminous with a single lot described in a recorded plat of subdivision, or a proposed resubdivision or consolidation to create a single lot or separate lots of record in suitable form ready for review.

CRITERIA FOR APPROVAL

The approval criteria are designed to achieve the goals as stated above. The Plan Commission shall recommend to the Board of Aldermen approval, with conditions or denial of the Development Plan. In considering and acting upon development plans, landscape plans and other applicable plans, the Plan Commission shall take the following objectives into consideration through the planned unit development process:

1. The proposed development is in harmony with general purposes and intent of Chapter 22 of the Municipal Code, and is compatible with and implements the planning goals and objectives of the City;
2. Streets or other means of access to the proposed development meet City of Clayton standards and are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets;
3. The internal circulation system of the proposed development encourages safe movement for vehicles and pedestrians;
4. Existing or proposed utility services are adequate for the proposed development;
5. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
6. Architecture and building materials are consistent with the design of the development and compatible with the adjacent neighborhood;
7. Landscaping is appropriate with the scale of the development and consistent with any applicable City Codes, Ordinances and Standards.
8. Topography. Every attempt shall be made to preserve the topography of the property. If the topography must be altered to accommodate construction, the plan must contain specific information regarding the proposed topography change and its impact on the flow of drainage on adjacent properties.
9. New Plantings. New developments should be screened from adjacent properties by use of high caliper tree plantings. A landscape plan depicting all new plantings on the site must be submitted as part of the plan.

10. Tree Preservation. The preservation of mature trees is encouraged. The developer/architect will be required to submit a plan showing trees and other significant plant material as they currently exist and how they will be preserved. Tree preservation must comply with the provisions of the Architectural Review Board Guidelines, Landscape Ordinance, and any other applicable City codes and standards. Landscape Plan requirements shall be in conformance with the City's adopted Landscape Ordinance.
11. The proposed development preserves architectural and environmental features of the property.
12. The proposed materials, design and uses are compatible with the neighborhood surrounding the proposed development or the City as a whole.
13. The proposed development complies with all other applicable codes and ordinances.

PROCEDURES FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT

Upon the review of an application and plans, the Director of Planning and Development Services, or his/her designee, shall, notify the applicant of any deficiencies and or modifications necessary to perfect the application. Once the submittal is deemed complete, the application is forwarded to the Plan Commission and Board of Aldermen for their consideration and approval, respectively. The application for a Development Plan shall be reviewed and decided upon in accordance with the procedures for a zone change established by Article 13 of the Zoning Ordinance. Approval of the Planned Unit Development is determined solely in the legislative discretion of the Board of Aldermen. Once approved, the Planned Unit Development becomes the specific zoning regulations of the property.

CONDITIONS OF APPROVAL

The Board of Aldermen may impose such conditions and limitations as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the planned unit development, upon the City as a whole, or upon public facilities and services. These conditions may include but are not limited to conditions concerning use, construction, character, location, landscaping, screening, parking, maintenance, operational elements that would impact adjoining land uses, and other matters relating to the purposes and objectives of these Regulations. Such conditions shall be expressly set forth in the ordinance authorizing the planned unit development. Violation of any such condition or limitation shall be a violation of these Regulations and subject the offender to the penalties prescribed for the violation of this Chapter. Additionally, violation of any such condition or limitation shall be a violation of these Regulations and shall constitute grounds for revocation of the approval authorizing the planned unit development.

The ordinance approving a planned unit development shall contain a legal description of the property subject to the planned unit development. The ordinance along with the development plan shall be recorded by the applicant in the office of County Recorder of

Deeds. The applicant must present proof of such recording before any permits may be issued.

Following Planned Unit Development Plan approval, the Development Plan, rather than any other provision of Chapter 22, shall govern the use, parking, loading, sign, bulk, space and yard regulations applicable to the subject property, and no use or development, other than temporary uses, shall be permitted within the area of the planned unit development pursuant to the zoning district regulations otherwise applicable to such area.

TIME LIMIT ON APPROVED PLANNED UNIT DEVELOPMENT

No planned unit development permit shall be valid for a period longer than one (1) year unless a building permit is issued and construction is actually begun and is diligently pursued within that period. A written request for an extension must be received by the City Clerk not less than forty-five (45) days prior to the expiration of the original one-year period. The applicant shall bear the burden of providing just cause for delay, proof that the project remains the same and proof that no circumstances bearing on the suitability of the project have changed. Approval of a request for an extension is at the sole discretion of the Board of Aldermen.

ADJUSTMENTS/AMENDMENTS

No adjustment shall be made in the construction, development or use without a new application under the provisions of these Regulations. However, minor adjustments may be made subject to written approval by the City Manager. Additionally, a request for an extension to the date of completion may be approved by the Board of Aldermen upon recommendation from the Director of Planning and Development Services.

Minor Adjustments. During build-out of the planned unit development, the City Manager may authorize minor adjustments to the approved Development Plan when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:

1. Adjusting the distance as shown on the approved Development Plan between any one structure or group structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site.
2. Adjusting the location of any open space.
3. Adjusting any final grade.
4. Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

The City Manager may decline to approve such minor adjustments if he/she deems the changes are significant, and refer the application to the Board of Aldermen (see Major Amendments).

Such minor adjustments shall be consistent with the intent and purpose of these Regulations and the approved Development Plan, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such adjustments would result in a violation of any standard or requirement of these Regulations.

Major Amendments. All major amendments will require a public hearing held by the Board of Aldermen and notice to all property owners whose properties are located within two hundred (200) feet of the planned unit development. A request for a major amendment to the approved Development Plan shall be considered a major amendment, only if the following apply:

1. An increase in square footage or density from the original proposal;
2. Change in the number of parking spaces from the original approval;
3. Changes in proposed land uses (office become retail/restaurant);
4. Significant changes to the site, landscaping, and/or streetscape;
5. That the amendment does not require a modification of any written conditions of approval or recorded easements;
6. Upon finding that any changes in the plan as approved will be in substantial conformity with the approved Development Plan.

If the Board of Aldermen determines that a major amendment is not in substantial conformity with the approved Development Plan, then the Board of Aldermen shall review the request and approve or disapprove the amendment. The fee for a major amendment to the approved Development Plan shall be as set forth in the Fee Schedule as approved by the Board of Aldermen.